

have found that the transillumination thus obtained does enable one to differentiate roughly between tissues.

This combination of probing and transillumination allows us to decide with greater certainty whether or not an adhesion is operable. Our operative field has increased to such an extent, however, that even the illuminated sound fails us at times, and to be sure, in the case of those thick and rounded formations, where we are in doubt whether we should speak of adhesions or pleural synechiæ.

## The Punishment of Children

By ROBERT MARSHALL, M.D., F.R.C.P.I.

AT the annual meeting of the British Pædiatric Association, held in Newcastle, Co. Down, in May, 1935, Doctor H. T. Ashby of Manchester and I were asked to open a discussion on "The Punishment of Children." The editor of the *ULSTER MEDICAL JOURNAL* has very kindly asked me for the text of my contribution for inclusion in this number of the *JOURNAL*. I noted with interest that of those pædiatricians who took part in the discussion, those of forty-five years or less were almost unanimous in their support of my contentions; some of the older men were hesitant to agree that the time has come when the infliction of physical suffering should be discontinued.

Since 1935 certain progress has been made. The "British Medical Journal," in its editorial of 20th March, 1937, has made a spirited protest against the birching of children. The Home Secretary has instituted a Commission of Enquiry in Britain, and Sir Dawson Bates a Commission on Juvenile Delinquency in Northern Ireland. I hope that soon both the British Parliaments will reverse the House of Lords retention of the Whipping Clause in the Children and Young Persons Act.

Within the past month a mother brought a tuberculous under-nourished child of two-and-a-half years to my out-patient department. The little creature sat apathetically still while I examined her. Almost from force of habit I said: "What a good little girl you've been." The mother seemed to regard my remark as a compliment to her parental methods, for she said with simple pride: "Oh, she knows better than to be anything else, doctor; she knows she'd get a touch of the strap if she wasn't." I am glad to say that before she left the room she promised me, and I believe sincerely, to go home and burn the strap.

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MR. PRESIDENT and GENTLEMEN,

I RECOGNIZE that the reason why I have been asked to speak this evening is that I wrote a letter to the "British Medical Journal" last December, in which I stated very definite views on corporal punishment: You may remember that Dr. R. L. Kitching had written, protesting against the attitude of the English Board of Education in reference to the caning of girls who have attained the

age of puberty. In my letter I expressed the view that "the time has come when the caning or birching of any child under 16 years, whether by policemen, school-teachers, or parents, should be made illegal"; that our sailors and soldiers, even our criminals, are now protected by law, except in the cases of gross offences, only our children being in this sense nobody's child and all too frequently the victims of a form of "correction" which is a relic of barbarism. I also said that I hoped that in less than a hundred years' time Dr. Kitching's letter would be read with the same amazement as we now read of hangings for larceny. In 1833 a child aged 9 was sentenced to death for stealing twopence worth of paint, and even in 1875 a girl of 13, unable to pay her fine, was sent to jail for wheeling a perambulator on the pavement of a fashionable street.

While there are few offences for which adult males can be whipped, the statutes authorizing the whipping of males under 16 years are many and varied, and I submit that it is a blot on British justice that as recently as 1916 the Larceny Act states that a person under 16 years can be sentenced to as many as twenty-five strokes. There have been for many years in the eyes of the law no criminals under the age of seven, thank God, and in 1933 our law-givers actually raised this age to eight years.

Civilization has moved very slowly where injustice to the child is concerned: as I wrote my letter I had a presentiment that somebody would write another letter quoting Solomon and the English public schools, and I was right. Why people should regard this oriental potentate as an authority on the bringing up of children is beyond me. He had seven hundred wives and three hundred concubines and presumably some thousands of children. None of these achieved fame for either manners or morals, and if Rehoboam is a sample, it is a poor argument for corporal punishment. Of the public schools I shall speak later, but first I should like to mention enquiry I have made into the corporal punishment of children by order of His Majesty's Courts of Justice.

I addressed a list of questions to the Ministry of Home Affairs in Northern Ireland, and at my request Professor Thomas Sinclair, the member of the Imperial Parliament for the Queen's University of Belfast, addressed a similar list of questions to Sir John Gilmour, Home Secretary. I am happy to inform you that in Northern Ireland Courts this sentence has been a very rare one. I cannot but express my regret that last November two boys were sentenced to six strokes of the birch for stealing a ten-shilling note from a woman; they were the first to be so sentenced for about thirty years. The Borstal Institution in Northern Ireland has also inflicted corporal punishment on three occasions, the last in 1932, in every case for absconding or attempting to abscond. The statutory orders governing this Institution lay it down that such punishment may only be ordered by at least two members of the Visiting Committee, and specify that if applied to the posterior the inmate shall *not* be required to remove his clothing. I am informed that some of these offenders were over twenty years of age.

Sir John Gilmour's replies to my questions are detailed and valuable, and I propose to read them verbatim:—

(1) *How many children have been sentenced to corporal punishment during the past five years?*

The following table shows the number of children (i.e., boys under 14) ordered to be whipped by summary courts in the years 1927-1933. Girls cannot be whipped. Boys over 14 cannot be ordered to be whipped by a summary court:—

1927	-	-	245	(241)	1931	-	-	147	(144)
1928	-	-	182	(178)	1932	-	-	157	(154)
1929	-	-	180	(177)	1933	-	-	160	(156)
1930	-	-	135	(134)					

The figures in brackets show the number dealt with by juvenile courts.

The number of youths over the age of 14 and under 17 who were ordered to be whipped by courts of assize or quarter sessions were as follows:—1927, 0; 1928, 1; 1929, 0; 1930, 1; 1931, 0; 1932, 6; 1933, 0—Total, 8.

(2) *Does this figure (1) represent a decrease from that of, say, twenty years ago?*

There has been a great decrease in the use of whipping in recent years. Thus the number of boys whipped by order of summary courts in 1913 was 2,163, 2,110 of these by order of juvenile courts.

(3) *What is the average age of these children and young persons?*

No information is available as to the ages of the children whipped, except that they were necessarily over 7 years of age (the minimum age of criminal responsibility, increased in 1933 to 8 years). Probably the great majority were between 11 and 14.

(4) *Is it obligatory—or customary—for the child to be examined by a medical officer in order to determine whether he is fit to receive such punishment?*

It is not obligatory for a child to be medically examined to determine whether he is fit to receive corporal punishment, but it was a recommendation of the Young Offenders Committee (1927) that a medical examination should take place, and it may be assumed that this is usual.

(5) *Is the opinion of a physician with special knowledge in either pædiatrics or psychology ever sought in order to determine whether the delinquent is sufficiently mentally developed to understand the seriousness of the offence which has resulted in such a sentence?*

Medical advice is sometimes obtained by the court to assist it in deciding on the best method of dealing with difficult cases, but the Secretary of State is not in a position to say whether special medical examination took place in the cases included in the statistics. It is to be remembered that there are nearly one thousand juvenile courts in England and Wales, and the number of cases of whipping is relatively therefore very small.

Education authorities are now required to furnish the juvenile courts with reports on the health of children appearing before the courts.

(6) *Have any efforts ever been made to trace the after-history of children who have been subjected to this form of punishment?*

No, so far as is known.

[This answer seems strange to those who are accustomed to "follow up" investigations of forms of treatment far less drastic in other human illnesses.]

(7) *What are the powers of Governors of Borstal or similar institutions in this matter?*

As will be seen from the copy enclosed (Rule 34, iv) of the Approved School Rules, 1933, which regulate the management and discipline of the approved schools, requires that every effort shall be made to enforce discipline without resort to corporal punishment. Where it is found necessary, its application must be in strict accordance with the regulations laid down in Rules 35 and 36. The inmates of Borstal Institutions are older, ranging in age from 16 to 23 years, and they are liable to corporal punishment on the conditions applicable in prisons. In practice, however, it is only on very rare occasions that corporal punishment is inflicted for an offence against discipline in a Borstal Institution. During the last seven years there have been only six such cases in all the Borstal Institutions throughout the country.

In addition, Sir John very kindly sent me a copy of "The Magistrate" for July-August, 1934, in which there is an editorial article entitled "A Decade of Whipping." The years under review are 1923 until 1933. The figures show that in the first quinquennium twenty-three per cent. of offenders against whom a conviction was recorded were whipped; in the second quinquennium twelve per cent. of such offenders were whipped. During the second period there was a drop in recorded convictions from 9,350 to 6,092, and a drop in the proved charges from 62,930 to 61,490. The article points out that analysis of the figures supports the view that the fewer the whippings ordered by juvenile courts, the fewer the offences committed by juveniles, a view which is held by Mr. Clark Hall in his book on Children's Courts, in which he proves that birching is the least deterrent as well as the least reformatory method of dealing with juvenile offenders. It is interesting to note that when the Children and Young Persons Bill was before Parliament, the Commons would have abolished the whipping clause, but the Lords insisted on retaining it.

The next aspect of the question is that of corporal punishment in schools. The cane is the traditional weapon of the schoolmasters, and some of them apparently think it as honourable as the soldier's sword. Tradition dies hard in the English public schools, but it strikes me as odd that ordinary schoolboys should be less humanely treated than those in "approved" schools and Borstal Institutions. One of the worst features of public schools punishment is the power given to prefects to inflict physical pain on children younger and weaker than themselves. I regret exceedingly that in one great school in Belfast the present headmaster has introduced this system in a school where his great predecessor ruled without a cane for twenty-seven years. This exemplifies the need for the public schools

to set the example and discard the cane; the less famous schools would follow.

I like to think that in increasing numbers schoolmasters realize that in the intense corporate loyalty of boys and girls they have a tremendous asset for manners and morals. Laugh, if you like, at the old school tie, but it is, in a sense, the national flag of England. If Napoleon came back to-morrow he would call us, not a nation of shopkeepers, but a nation of old boys. I should like to provide for every boy and girl a school he has the right to be proud of, and this cannot be while there exists the master who teaches with a book in one hand and a cane in the other, and where there is government by fear instead of the discipline of loyalty and self-respect. As a school inspector said to me last January, "If a boy cowers in self-defence when you come behind his desk and say, 'What's that you are doing?' you know what sort of school it is."

In Belfast we are fortunate in our Director of Education, who has done much, in his own words, "to stamp out caning in our elementary schools." But even yet it is my routine practice to write for my cardiac children at the Ulster Hospital a certificate that he or she is "fit for school, but unfit for drill, strenuous games, or any form of corporal punishment."

Corporal punishment in the home is regarded by some people as the priceless heritage of the British parent. You may prevent him buying cigarettes after 8 o'clock, and he scarcely complains, but the law—or some of its ministers—even encourages him to beat his children with a cane or strap. For some reason, wife-beating seems no longer fashionable. Child-beating is a cheap form of vice too—the victim is usually too frightened to complain, and the neighbours "don't like to interfere." If an accident happens and he is up before the courts, the fines are usually slight; a man and his wife were fined half a crown in Kent this year for cruelty to five children. Spread over the two parents, the fine works out at threepence per child. Dr. Costobadie said he had never seen anything like it in Russia or Ireland. The N.S.P.C.C. reports an increase in crimes of violence against children—4,233 boys and 4,005 girls were victims last year. Mr. Elliott, the Director of the Society, tells me that he views with alarm the increased number of crimes of violence against children. Only in Northern Ireland and the Irish Free State is a decrease reported: this might interest Dr. Costobadie.

The reason for this attitude of the law towards child-beating is, I believe, the ancient theological dogma of original sin: children were regarded, and are still regarded, as born sinful, and that badness must be hammered out of them. Personally I prefer Wordsworth's view of the matter, although I know he is not fashionable at the moment, and I think that his "trailing clouds of glory" were those qualities of truthfulness, honesty, and courage which we see in our out-patient departments and which are inherent in every child, until they are besmirched by adult minds. "The more I see of grown-ups the more I like my child."

Another argument against the infliction of pain is that it is impossible to assess

the dose or its possible sequelæ. As Cyril Burt says, "When all is said, in ninety-nine cases out of a hundred, corporal punishment, however inflicted, is likely to make the incipient transgressor, not more penitent, but more furtive and defiant." "Once a boy has been flogged, the psychologist finds it hard to regain his confidence and re-awaken his self-respect." One of the queerest arguments brought forward in its support is that moral delinquents are relatively insensitive to pain—as one would say, "This drug has no effect on this patient; let's give him lots of it."

A serious objection to corporal punishment is that it is so often—especially in school and home—a vicarious suffering. The *faute de mieux* schoolmaster who knows he is a cut above "ushering," but whose play has been rejected, can take it out on Jones minor; the harassed mother who does not dare to strike her husband, can beat the children he has made her bear him; the father coming home in a fine inward fury against his employer, or his foreman, or a trade union secretary, and called on by a whining unattractive wife to "correct" his child, is no fit person to be allowed by law to strike any living creature.

And this leads me to the most terrible aspect of this tragic business—the parent or guardian or teacher who is at heart a sadist, and such are commoner than one likes to think, for there are degrees in lust for cruelty.

I have taken up too much of your time, gentlemen, and I hope that you, Sir, have forgiven me, in that I have talked about how not to punish children. Corporal punishment is a refuge for the destitute. If children are properly brought up they need no cane. One does not drive a car by beating it when it it leaves the road.

One last word: when to our great regret you leave here to-morrow night by the cross-channel steamers, you will get a glimpse of one of our main industries, the export of cattle. You will see that there are special inspectors to see that their drovers do not strike them with the canes they wave. This is because blows with sticks, even through their tough and hairy hides, bruise their marketable flesh beneath and lessen its value. But these men may, if they so wish, go home and beat their own children with those same canes: their delicate bodies have no market value at all.

## SOLUSEPTASINE

### A New Drug in the Treatment of Hæmolytic Streptococcal Infections.

SINCE the time of Ehrlich, whose classical researches provided the means of combatting infections by various spirochætes, spirillæ, and protozoal organisms, chemotherapy has until recently made little progress in its endeavour to discover drugs which will destroy less highly developed organisms "in vivo" without injury to the host.

A number of substances had been synthesised and shown to be powerful